ORDINANCE NO. <u>0-30-96</u>
AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 2.583 ACRES LOCATED ON THE EAST SIDE OF TURFWAY ROAD AND THE NORTHWEST SIDE OF 1-75, ADJACENT TO THE CITY LIMITS. (ESA, INC. PROPERTY)

WHEREAS, ESA, Inc., a Kentucky corporation, being the owner of record of the hereinafter described territory (the "territory"), has requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owner has given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that after annexation the territory shall remain subject to the same land use restrictions as applied to it prior to annexation until such restrictions are changed in accordance with K.R.S. Chapter 100.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, **KENTUCKY, AS FOLLOWS:** 

### SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- Is contiguous to the boundaries of the City, and (a.)
- Is urban in character and suitable for development for urban (b.) purposes without unreasonable delay, and
  - Is not included within the boundary of another incorporated city. (c.)

### **SECTION II**

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

### SECTION III

The owners of record of the territory have filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A. 420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

## SECTION IV

Pursuant to K.R.S. 100.209(1) the territory shall, after annexation, remain subject to the same land use restrictions as applied to it prior to annexation, until those restrictions are changed in accordance with K.R.S. Chapter 100.

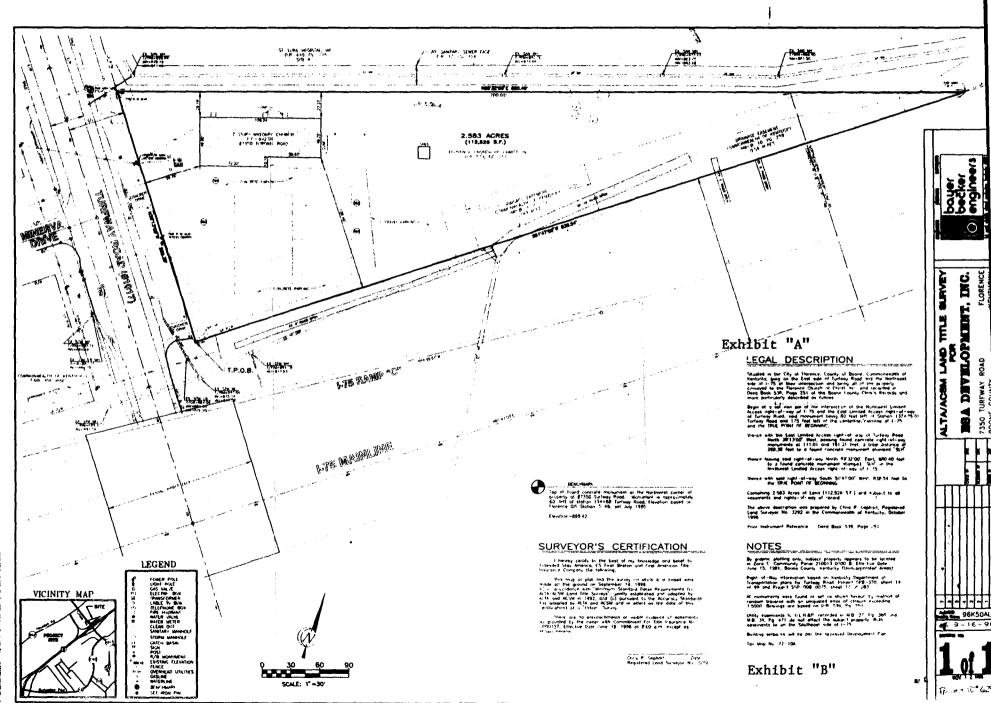
### SECTION V

This ordinance shall be published in full. PASSED AND APPROVED ON FIRST READING THIS /Of DAY OF Jelen 1996. PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 17th DAY OF December, 1996.

RECEIVED

DEC 2 7 1996

SECRETARY OF STATE COMMONWFALTH OF KY



SCALE: 1" =30"

## ORDINANCE NO. 0-10-97

AN ORDINANCE ENACTED PURSUANT TO K.R.S. 81.500 DECLARING THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF FLORENCE, KENTUCKY, TO THE CITY OF UNION, KENTUCKY, AND THE TRANSFER OF A PARCEL OF THE INCORPORATED PROPERTY OF THE CITY OF UNION, KENTUCKY, TO THE CITY OF FLORENCE, KENTUCKY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY AS FOLLOWS:

### SECTION I - DECLARATIONS

The City of Florence, Kentucky, is a City of the third class and the City of Union, Kentucky is a City of the sixth class and the two cities have a common boundary. It is hereby determined that the area hereinafter specified to be transferred from the City of Florence to the City of Union can be better served by the City of Union and the area hereinafter specified to be transferred from the City of Union to the City of Florence can be better served by the City of Florence.

## SECTION II - TRANSFER FROM THE CITY OF FLORENCE TO THE CITY OF UNION

The incorporated property of the City of Florence, Kentucky, which is hereby transferred to the City of Union, Kentucky, is more particularly described on Exhibit "A" attached hereto and shown on the drawing attached hereto as Exhibit "B".

The property to be transferred from the City of Florence to the City of Union contains no residents. Accordingly, pursuant to K.R.S. 81.500(3) attached hereto as Exhibit "C" is a written consent to the transfer from the property owners of the property transferred.

# SECTION III - TRANSFER FROM THE CITY OF UNION TO THE CITY OF FLORENCE

The incorporated property of the City of Union, Kentucky, which is hereby transferred to the City of Florence, Kentucky, is more particularly described on Exhibit "D" attached hereto and shown on the drawing attached hereto as Exhibit "E".

Attached hereto as Exhibit "F" is a Petition in support of the transfer containing signatures of residents in the area to be transferred in a number greater than 51% of the registered voters in the area. The Petition conforms to K.R.S. 81.500(3) and has been submitted to the County Clerk. The response of the County Clerk validating signatures on the Petition is attached hereto as Exhibit "G".

## SECTION IV - CONDITIONS APPLICABLE TO BOTH TRANSFERS

Pursuant to K.R.S. 81.500(2) the following conditions apply to the transfer of property from the City of Florence to the City of Union and the transfer of property from the City of Union to the City of Florence:

### A. Statement of Financial Considerations.

The transfers between the two cities shall be an even swap and neither City shall owe the other City any financial consideration in connection therewith.

### B. Taxes.

With respect to each parcel transferred, taxes for the year 1997 shall be collected by the transferring City. For all subsequent years taxes shall be collected by the transferee City.

### C. Zoning.

Each parcel transferred shall continue to be subject to the zoning regulations and land use restrictions in effect prior to the transfer until changed pursuant to K.R.S. Chapter 100.

## D. Identical Ordinances By Each City.

The transfer of property herein provided for shall, pursuant to K.R.S. 81.500 be accomplished by the enactment of ordinances containing identical provisions by the City of Florence and the City of Union. The transfer of property shall be complete upon the final enactment and publication of each of these Ordinances.

# SECTION V - NOTICE REQUIREMENTS

Following the enactment and publication of this Ordinance and the identical Ordinance by the City of Union, Kentucky, each City shall comply with the notice requirements of K.R.S. 81A.470 and K.R.S. 81A.475.

## **SECTION VI - LOCAL OPTION STATUS**

Each parcel transferred hereunder shall assume the local option status of the City to which it is transferred.

PASSED AND APPROVED ON FIRST READING THIS 12 TH DAY OF Cipul, 1997.